

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----x

RIZWAN RAJA,

Plaintiff,

**NOTICE OF MOTION**

-against-

19-CV-01328(AMD)(RER)

JOHN W. BURNS and THE CITY OF NEW YORK

Defendants.

-----x

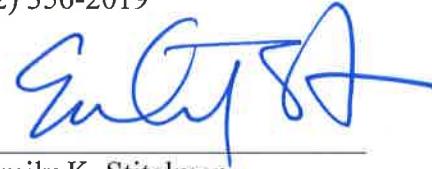
**PLEASE TAKE NOTICE** that upon the annexed Declaration of Emily K. Stitelman, dated June 11, 2019, and the exhibits attached thereto; the accompanying Memorandum of Law in support of this motion, dated June 11, 2019; and upon the pleadings herein, the undersigned will move this Court, before the Honorable Ann M. Donnelly, United States District Judge, at the United States Courthouse for the Eastern District of New York, located at 225 Cadman Plaza East, Brooklyn, New York, at a time set by the Court, for an order, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the First Amended Complaint, and granting such other and further relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE**, that in the event that this motion is denied, in whole or in part, defendants respectfully request thirty (30) days from docketing of the order denying the motion in which to answer the Complaint.

Dated: New York, New York  
June 11, 2019

ZACHARY W. CARTER  
Corporation Counsel of  
the City of New York  
Attorney for Defendants  
100 Church St., Rm. 5-183  
New York, New York 10007  
Email: estitelm@law.nyc.gov  
Tel: (212) 356-2011  
Fax: (212) 356-2019

By:

  
Emily K. Stitelman  
Assistant Corporation Counsel

**By ECF**

Daniel L. Ackman  
Attorney at Law  
222 Broadway, 19th Floor  
New York, NY 10038  
tel: 917-282-8178  
fax: 888-290-3481  
e-mail: d.ackman@comcast.net